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LEG 185T.01: Introduction to Paralegal Studies

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**THE UNIVERSITY OF MONTANA—MISSOULA
COLLEGE OF TECHNOLOGY
BUSINESS TECHNOLOGY DEPARTMENT**

COURSE SYLLABUS

LEG 185 INTRODUCTION TO PARALEGAL STUDIES

REVISED: FALL 2004

SEMESTER CREDITS: 3

PREREQUISITES: none

FACULTY:

Deborah L. Ethridge, CLAS, Adjunct Faculty

Office: By appointment

Email: hbkit@aol.com

COURSE DESCRIPTION:

Introduction to paralegal career including ethical and professional standards. Overview of the American legal system, substantive areas of practice, legal analysis and investigation, and law office administration.

STUDENT PERFORMANCE OUTCOMES:

Upon completion of this course, the student will be able to:

1. Apply American law to real or hypothetical fact situations.
2. Interact with other students in small groups requiring critical thinking and problem solving related to the American legal system.
3. Discern the skills, abilities, and personal characteristics needed to become a successful paralegal.
4. Describe the organization of law offices and the interrelationships between attorneys and paralegals.
5. Be aware of ethical obligations of paralegals.
6. Formulate solutions to potential dilemmas arising out of employment in the legal field.
7. Be acquainted with major substantive areas of law and duties and responsibilities integral to those specialties.
8. Acquire a working legal vocabulary.
9. Analyze legal situations to distinguish relevant facts from informational sources.

STUDENT PERFORMANCE ASSESSMENT METHODS AND GRADING PROCEDURES:

All assignments, tests, and projects completed during the semester will be assigned point values. Total points earned will be divided by points possible, and a letter grade will be assigned based on the following percentage scale:

Grade scale

93-100	A
86- 92	B
80- 85	C
75- 79	D

ATTENDANCE POLICY

Attendance will be taken. Students may miss four (4) class sessions during the semester with no negative impact on grade. Each missed class thereafter will result in a 5-point deduction from final points accumulated. No make up is allowed for in-class projects. If students are absent for any reason, they will be accountable for any information disseminated and be held responsible for class notes and announcements of tests and assignments.

PARTICIPATION

Students contribute to the learning environment and become active learners by attending class and participating in discussions. Each student has distinctive and valuable life experiences to share. Students will be expected to respect such contributions. Students who read text assignments prior to class will be equipped to participate and will obtain the most from this course.

DUE DATES

To receive full credit, assignments must be submitted by stated due dates. Late assignments will be lowered one letter grade. **No late assignments will be accepted after December 7.**

TESTS

Tests will be given during the semester as indicated on course outline (dates subject to change). Arrangements for makeup tests will be made **only** if faculty is notified by voice mail, e-mail, or personally **prior** to the test. A score of zero will be averaged into grade determination for any missed test.

ACADEMIC INTEGRITY

Students are required to adhere to standards of academic integrity. Students should review The University of Montana Student Conduct Code regarding their rights and responsibilities. The Conduct Code is located at <http://www.umt.edu/studentaffairs/>.

CELL PHONE POLICY

Please turn off cell phones before class begins as they are distracting to faculty and other students.

READ THIS SYLLABUS CAREFULLY. It is designed to help students understand the goals, expectations, and evaluation methods employed in this course and to avoid misunderstandings which could adversely affect grades. If students have questions regarding stated policies, they should consult faculty for clarification.

TEXT: *The Paralegal Professional Essentials*, Cheeseman and Goldman, Prentice Hall, 2004

SUGGESTED REFERENCE: *Black's Law Dictionary* or other legal dictionary

COURSE OUTLINE (subject to change):

- I. The American Legal System (**CHAPTER 5 August 31, September 2**)
 - A. Introduction
 - B. What is law?
 - C. History of American law
 - D. Sources of law in the United States
 - E. Constitution of the United States of America
- II. Judicial and Alternative Dispute Resolution (**CHAPTER 6 September 7, 9**)
 - A. Introduction
 - B. State court system
 - C. Federal court system
 - D. Jurisdiction of federal and state courts
 - E. Alternative dispute resolution
- III. The Professional Paralegal (**CHAPTER 1 September 9, 14**)
 - A. Introduction
 - B. What is a paralegal?
 - C. What do paralegals do?
 - D. Opportunities
 - E. The future
 - F. Career planning/role of paralegal
 - G. National associations
 - H. Qualifications of a paralegal
 - I. Paralegal education in the United States
 - J. Personal goals
- IV. Ethics, Regulation, and Professional Responsibility (**CHAPTER 2 September 14, 16**)
 - A. Introduction
 - B. Unauthorized practice of law (UPL)
 - C. Regulation of the paralegal profession
 - D. Ethical rules and obligations
 - E. The future

► **TEST 1 September 21**

- V. Careers in the Paralegal Profession (**CHAPTER 3 September 21, 23, 28**)
 - A. Introduction
 - B. Compensation issues for the paralegal
 - C. Selecting a specialty
 - D. Assessing your background/skills/interests
 - E. Career planning – selecting electives/preparing your resume/interviewing
 - F. Arrangements and organization of law offices
 - G. Administrative procedures in the law office

VI. Civil Litigation (CHAPTER 7 September 28, 30, October 5)

- A. Introduction
- B. The litigation process
- C. Prelitigation
- D. The trial

VII. Criminal Law (CHAPTER 8 October 5, 7)

- A. Introduction
- B. Definition of a crime/Classification of crimes/Essential elements of a crime
- C. Criminal acts as basis for tort actions
- D. Criminal procedure
- E. The criminal trial
- F. Crimes affecting businesses
- G. Inchoate crimes
- H. Constitutional safeguards

► TEST 2 OCTOBER 12**VIII. Paralegal Workplace Skills (CHAPTER 4 October 12, 14, 19)**

- A. Introduction
- B. Paralegal tasks and functions
- C. What paralegals in legal specialties do
- D. Paralegal skills
- E. Cultural sensitivity

IX. Interviewing and Investigation (CHAPTER 9 October 21, 28)

- A. Introduction
- B. Investigating claims
- C. Preparing for the interview
- D. Conducting the interview
- E. Ethical versus moral considerations
- F. Privileged communication
- G. Expert witnesses
- H. Freedom of Information Act (FOIA)
- I. Locating witnesses

October 26—Working the Web**X. Traditional and Computer Legal Research (CHAPTER 10 November 4, 16)**

- A. Introduction
- B. Research starting point
- C. Traditional versus computer-based law libraries
- D. Traditional legal resources
- E. Constructing a search query
- F. Connectors in legal research
- G. Updating legal research
- H. Parallel citations

November 9—Working the Web

- XI. Critical Legal Thinking and Writing (**CHAPTER 11 November 18, 23**)
 - A. Introduction
 - B. Court brief and office memorandum writing styles
 - C. Honesty
 - D. Office memorandum
 - E. Citations

November 30 - December 9 - Catch up, miscellaneous topics, computer projects, panel discussion, final test review

► FINAL EXAM Tuesday, December 14, at 6:10 p.m.